



## **REMARKS/ARGUMENTS**

### **STATUS OF CLAIMS**

In response to the Office Action dated June 20, 2006, claims 1, 12, 14 and 20 have been amended. Claims 1-7, 9-12, 14-16, 18-20 and 21-36 are now active in this application. No new matter has been added. Claims 8, 13, 17 and 21 have been withdrawn from consideration as being directed to non-elected species.

### **REJECTION OF CLAIMS UNDER 35 U.S.C. § 103**

I. Claims 1, 5-7, 9-10, 14, 16, 18, 19, 22-26, 31 and 32 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Bernhardt et al. (USPN 6,496,208) in view of Tanaka (USPN 5,253,338), and further in view of Tsuruta (USPN 5,754,230).

Claims 2 and 3 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Bernhardt et al. in view of Tanaka and Tsuruta, and further in view of Bullock et al. (USPN 5,943,050).

Claims 4 and 15 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Bernhardt et al. in view of Tanaka and Tsuruta, and further in view of Chiba et al. (USPN 5,589,960).

Claim 11 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Bernhardt et al. in view of Tanaka and Tsuruta, and further in view of Ejima (US 2002/0024608).

Claims 12, 20, 30 and 36 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Hamamura et al. (USPN 6,567,120) in view of Bernhardt et al. and further in view of Tsuruta.

Claims 27-29 and 33-35 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Hamamura et al. in view of Bernhardt et al. and Tsuruta, and further in view of Tanaka.

**II.** The courtesy of the interview conducted on September 12, 2006, is acknowledged and appreciated. At the interview, independent claims 1, 12, 14 and 20 were discussed. The substance of the interview is correctly stated in the PTOL-413 dated September 12, 2006, and no further comments are deemed necessary.

**III.** To expedite prosecution, independent claim 1 and 14 have been amended to delineate that “no portion of the entire image is hidden when the entire image is superimposed on the main image display”, claim 12 has been amended to delineate that “the image acquisition parameters are parameters used by the portable photography device to acquire the optical image” and claim 20 has been amended to delineate “the image acquisition parameters are parameters used by the photography device to acquire the optical image”. These are the changes that were suggested by the Examiner at the above-mentioned interview in order to distinguish the independent claims over the currently applied prior art references. Other minor changes have been made to independent claims 1, 12, 14 and 20 to provide better form and consistency.

**REJOINDER**

If claims 1-7, 9-12, 14-16, 18-20 and 22-36, as amended, are found allowable, it is respectfully requested that claims 8, 13, 17 and 21, withdrawn from consideration as being directed to non-elected species, be **rejoined** as they would depend from allowable claims (see MPEP §§ 809 and 821.04).

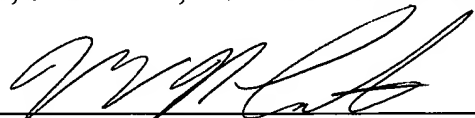
**CONCLUSION**

Accordingly, it is urged that the application, as now amended, is in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call Applicants' attorney at the telephone number shown below.

Date: October 13, 2006

Respectfully submitted,

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